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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/020,123	10/30/2001	David D. Faraldo II	05220.P004	7352

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EXAMINER
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LEROUX, ETIENNE PIERRE

ART UNIT	PAPER NUMBER
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2161

DATE MAILED: 06/26/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/020,123	<b>Applicant(s)</b> FARALDO, DAVID D.	
	<b>Examiner</b> Etienne P LeRoux	<b>Art Unit</b> 2161	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 20 June 2006.
- 2a) ☒ This action is **FINAL**.      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-3, 5-23, 25-38, 40-48, 50-54, 57 and 58 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3, 5-23, 25-38, 40-48, 50-54, 57 and 58 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 October 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

*Claim Status*

Claims 1-3, 5-23, 25-38, 40-48 and 50-54, 57 and 58 are pending; claims 4, 24, 39 and 49 are cancelled and claims 55 and 56 are not entered. Claims 1-3, 5-23, 25-38, 40-48 and 50-54, 57 and 58 are rejected as detailed below.

*Claim Rejections - 35 USC § 112*

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1-3, 5-23, 25-38, 40-48 and 50-54, 57 and 58 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Claim 1 recites “validating configuration information specified by a user prior to storing the configuration information in a database.” The specification does not contain a clear and concise description of the claimed computer-implemented method of validating configuration information specified by a user prior to storing the configuration information in a database such that a skilled technician can make and use the invention.

Claim 1 recites “identifying one of a plurality of business sites.” The specification does not contain a clear and concise description of the claimed computer-implemented method of

Art Unit: 2161

identifying one of a plurality of business sites such that a skilled technician can make and use the invention.

Claims 21, 34 and 45 include language similar to claim 1 and thus are rejected on the same basis as claim 1.

Claims 2, 3, 5-20, 22, 23, 25-33, 35-38, 40-44, 46-48, 50-54, 57 and 58 are rejected for being dependent from a rejected base claim.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 5, 7-9, 15, 17, 18, 20, 21, 25, 27-31, 33, 34, 37, 40, 43-45, 47, 50, 53, 54, 57 and 58 are rejected under 35 U.S.C. 102(e) as being anticipated by Pub No US 2002/0178246 issued to Mayer, as best examiner is able to ascertain.

Claims 1, 21, 34 and 45:

Mayer discloses:

validating configuration information specified by a user prior to storing the configuration information in a database [access authorization, paragraph 39, access control list, paragraph 68, network policy store 315, Fig 3, paragraph 35]

extracting at least a subset of the configuration information from the database based on an extraction parameter [Discovery Wizard Module 320, Fig 3, paragraph 36]

generating a text-based configuration file containing the extracted configuration information [paragraph 36]

Claim 5:

Mayer discloses configuring a messaging application [paragraph 16] using the configuration file

Claim 7:

Mayer discloses wherein the database includes configuration information for a plurality of business sites across a plurality of networks [Fig 1, 100, 110, 140]

Claim 8:

Mayer discloses wherein the configuration information is used by at least one messaging application to transmit a message to a destination [paragraph 17]

Claim 9:

Mayer discloses wherein the configuration information includes a contact [business relationship, paragraph 89]

Claim 15:

Mayer discloses wherein the configuration information includes a strategy [network policy, paragraph 15]

Claims 17, 30, 43 and 53:

Mayer discloses creating at least one include file for a plurality of sections within the configuration file [Abstract, paragraph 69]

Art Unit: 2161

Claim 18:

Mayer discloses compiling the configuration file into a compiled file at a later time [Fig 10, step 1070, paragraph 92]

Claim 20:

Mayer discloses the elements of claim 1 as noted above and furthermore, Mayer discloses wherein the extracting is performed over a secure communication pathway [paragraph 62, password protected]

Claim 25:

Mayer discloses configuring a messaging application [paragraph 16] using the configuration file

Claim 27:

Mayer discloses wherein the database includes configuration information for a plurality of business sites across a plurality of networks [Fig 1, 100, 110, 140]

Claim 28:

Mayer discloses wherein the configuration information is used by at least one messaging application to transmit a message to a destination [paragraph 17]

Claim 29:

Mayer discloses wherein the configuration information includes a contact [business relationship, paragraph 89]

Claim 31:

Mayer discloses compiling the configuration file into a compiled file at a later time [Fig 10, step 1070, paragraph 92]

Art Unit: 2161

Claim 33:

Mayer discloses wherein the extracting is performed over a secure communication pathway [paragraph 62, password protected]

Claim 37:

Mayer discloses wherein the configuration information includes a contact [business relationship, paragraph 89]

Claim 40:

Mayer discloses a compiler to generate a binary configuration file after generation of the configuration file [paragraph 66].

Claim 44:

Mayer discloses wherein the extracting is performed over a secure communication pathway [paragraph 62, password protected]

Claim 47:

The combination of Mayer and Pellegrinelli discloses the elements of claim 45 as noted above and furthermore, Mayer discloses wherein the configuration information includes a contact [business relationship, paragraph 89]

Claim 50:

Mayer discloses compiling the configuration file into a compiled file at a later time [Fig 10, step 1070, paragraph 92]

Claim 54:

Mayer discloses wherein the extracting is performed over a secure communication pathway [paragraph 62, password protected]

Art Unit: 2161

Claim 57:

Mayer discloses wherein the configuration information extracted from the database is specific to one of the plurality of business sites [Fig 1, 100, 110, 140]

Claim 58:

Mayer discloses a referential check [employees losing access, paragraph 91].

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2, 22, 36 and 46 are rejected under 35 U.S.C. 103(a) as being unpatentable over the Mayer in view of Pub No US 2003/0020750 issued to Brown et al (hereafter Brown).

Claims 2, 22, 36 and 46:

Mayer discloses the elements of claim 1 as noted above but does not disclose wherein the configuration information includes configuration keyword information recognizable by a messaging application. Brown discloses wherein the configuration information includes configuration keyword information recognizable by a messaging application [paragraph 59]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Mayer to include wherein the configuration information includes configuration keyword information recognizable by a messaging application as taught by Brown for the purpose of alerting a user to an incoming message which matches the user's preference [paragraph 59]. The



Art Unit: 2161

skilled artisan would have been motivated to modify Mayer per the above such that a user is able to quickly identify a messaging of interest from the host of messages that a user typically receives in a day.

Claims 3, 6, 14, 23, 26, 38 and 48 are rejected under 35 U.S.C. 103(a) as being unpatentable over the Mayer in view of Pub No US 2002/0010618 issued to Pellegrinelli et al.

Claim 3, 23, 38 and 48:

Mayer discloses the elements of claim 1/21/34/45 as noted above but does not disclose a relational database. Pellegrinelli discloses a relational database [paragraph 21]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Mayer to include a relational database as taught by Pellegrinelli for the purpose of using a structured query language such as SQL [paragraph 1].

Claims 6 and 14:

Mayer discloses the elements of claim 1 as noted above and furthermore, Pellegrinelli discloses periodically generating additional text-based configuration files according to a schedule [paragraph 19, on demand as initiated by a user]

Claim 26:

Mayer and Pellegrinelli discloses the elements of claim 21 as noted above and furthermore, Pellegrinelli discloses periodically generating additional text-based configuration files according to a schedule [paragraph 19, on demand as initiated by a user]

Claims 10 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mayer in view of US Pat No 5,968,124 issued to Takahashi et al (hereafter Takahashi).

Claims 10 and 11:

Mayer discloses the elements of claim 1 as noted above but does not disclose wherein the configuration information includes a contact method. Takahashi discloses wherein the configuration information includes a contact method [Fig 4]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Mayer to include wherein the configuration information includes a contact method as taught by Takahashi for the purpose of providing the user with information which can be used to facilitate contacting a manager. The skilled artisan would have been motivated to modify Mayer per the above such that business communications can be improved.

Claims 12 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mayer in view of Pub No US 2002/0052941 issued to Patterson (hereafter Patterson).

Claims 12 and 13:

Mayer discloses the elements of claim 1 as noted above but does not disclose wherein the configuration information includes a contact group. Patterson discloses wherein the configuration information includes a contact group [paragraph 294]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Mayer to include wherein the configuration information includes a contact group as taught by Patterson for the purpose of adding new users [paragraph 294]. The skilled artisan would have been motivated to modify Mayer such that needs of a dynamic business organization can be accommodated.

Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mayer in view of Pub No US 2002/0064149 issued to Elliott et al (hereafter Elliott).

Claim 16:

Mayer discloses the elements of claim 1 as noted above but does not disclose wherein the configuration information includes a pager type. Elliott discloses wherein the configuration information includes a pager type [paragraph 3840]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Mayer to include wherein the configuration information includes a pager type as taught by Elliott for the purpose of communication with a user who has his/her own particular brand of pager. The skilled artisan would have been motivated to modify Mayer such that the system is able to accommodate a plurality of communication protocols represented by a plurality of manufacturers who manufacture pagers.

Claims 19, 32 and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mayer in view of Pub No US 2002/0112021 issued to Detlef.

Claim 19:

Mayer discloses the elements of claim 1 as noted above but the above combination of references do not disclose updating the configuration information stored in the database through a portal. Detlef discloses updating the configuration information stored in the database through a portal [paragraph 14]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Mayer to include updating the configuration information

Art Unit: 2161

stored in the database through a portal as taught by Detlef for the purpose of providing services to a user who desires to access the network through a communication device such as a pager [paragraph 13].

Claim 32:

Mayer discloses the elements of claim 21 as noted above but does not disclose updating the configuration information stored in the database through a portal. Detlef discloses updating the configuration information stored in the database through a portal [paragraph 14]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Mayer to include updating the configuration information stored in the database through a portal as taught by Detlef for the purpose of providing services to a user who desires to access the network through a communication device such as a pager [paragraph 13].

Claim 35:

Mayer discloses the elements of claim 34 as noted above but the above combination of references do not disclose updating the configuration information stored in the database through a portal. Detlef discloses updating the configuration information stored in the database through a portal [paragraph 14]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Mayer to include updating the configuration information stored in the database through a portal as taught by Detlef for the purpose of providing services to a user who desires to access the network through a communication device such as a pager [paragraph 13].

Claims 41 and 51 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mayer in view of Pub No US 2002/0178380 issued to Wolf et al (hereafter Wolf).

Claim 41:

Mayer discloses the elements of claims 34 and 40 as noted above but the above combination of references does not disclose wherein the generation of the binary configuration file is executed from a scheduling tool. Wolf discloses wherein the generation of the binary configuration file is executed from a scheduling tool [paragraph 69]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the above combination of references to include wherein the generation of the binary configuration file is executed from a scheduling tool as taught by Wolf for the purpose of scheduling execution during off-peak hours. The skilled artisan would have been motivated to modify the above combination of references for the purpose of scheduling execution of the updating of a non-critical job such as a configuration file when it will not interfere with on-line job processing.

Claim 51:

Mayer and Pellegrinelli discloses the elements of claims 45 and 50 as noted above but the above combination of references does not disclose wherein the generation of the binary configuration file is executed from a scheduling tool. Wolf discloses wherein the generation of the binary configuration file is executed from a scheduling tool [paragraph 69]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the above combination of references to include wherein the generation of the binary configuration file is executed from a scheduling tool as taught by Wolf for the purpose of scheduling execution during off-peak hours. The skilled artisan would have been motivated to modify the above

Art Unit: 2161

combination of references for the purpose of scheduling execution of the updating of a non-critical job such as a configuration file when it will not interfere with on-line job processing.

Claims 42 and 52 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Mayer, Pellegrinelli and Wolf and further in view of US Pat No 6,883,170 issued to Garcia (hereafter Garcia).

Claim 42:

Mayer discloses the elements of claims 34, 40 and 41 as noted above but the above combination of references does not disclose wherein the scheduling tool is a windows scheduler. Garcia discloses wherein the scheduling tool is a windows scheduler [abstract and col 6, lines 48-55]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the above combination of references to include scheduling tool is a windows scheduler as taught by Garcia for the purpose of using a well-known means such as Windows NT.

Claim 52:

Mayer and Pellegrinelli discloses the elements of claims 45, 50 and 51 as noted above but the above combination of references does not disclose wherein the scheduling tool is a windows scheduler. Garcia discloses wherein the scheduling tool is a windows scheduler [abstract and col 6, lines 48-55]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the above combination of references to include scheduling tool is a windows scheduler as taught by Garcia for the purpose of using a well-known means such as Windows NT.

***Response to Arguments***

Applicant's arguments filed 5/3/2006 have been fully considered but they are not persuasive for the following reasons.

**Examiner Argues:**

Claims 1-3, 5-23, 25-38, 40-48 and 50-54, 57 and 58 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Claim 1 recites "validating configuration information specified by a user prior to storing the configuration information in a database." The specification does not contain a clear and concise description of the claimed computer-implemented method of validating configuration information specified by a user prior to storing the configuration information in a database such that a skilled technician can make and use the invention.

Claims 21, 34 and 45 include language similar to claim 1 and thus are rejected on the same basis as claim 1.

Claims 2, 3, 5-20, 22, 23, 25-33, 35-38, 40-44, 46-48, 50-54, 57 and 58 are rejected for being dependent from a rejected base claim.

**Applicant Responds:**

Applicant responds that Specification, page 15, paragraph 73 includes "Therefore, in this way database protocols are used to provide .... value validation checks ....automatically."

Applicant further states the specification contains a clear and concise description of the claimed

Art Unit: 2161

computer-implemented method of validating configuration information by a user prior to storing the configuration information in a database such that a skilled technician can make and use the invention.

**Examiner Responds:**

Examiner maintains the following taken from the MPEP is pertinent for the determination of the adequacy of applicant's response.

2163.02 Standard for Determining Compliance With the Written Description Requirement

The courts have described the essential question to be addressed in a description requirement issue in a variety of ways. An objective standard for determining compliance with the written description requirement is, "does the description clearly allow persons of ordinary skill in the art to recognize that he or she invented what is claimed." In *re Gosteli*, 872 F.2d 1008, 1012, 10 USPQ2d 1614, 1618 (Fed. Cir. 1989). Under *Vas-Cath, Inc. v. Mahurkar*, 935 F.2d 1555, 1563-64, 19 USPQ2d 1111, 1117 (Fed. Cir. 1991), to satisfy the written description requirement, an applicant must convey with reasonable clarity to those skilled in the art that, as of the filing date sought, he or she was in possession of the invention, and that the invention, in that context, is whatever is now claimed. The test for sufficiency of support in a parent application is whether the disclosure of the application relied upon "reasonably conveys to the artisan that the inventor had possession at that time of the later claimed subject matter." *Ralston Purina Co. v. Far-Mar-Co., Inc.*, 772 F.2d 1570, 1575, 227 USPQ 177, 179 (Fed. Cir. 1985) (quoting *In re Kaslow*, 707 F.2d 1366, 1375, 217 USPQ 1089, 1096 (Fed. Cir.



Art Unit: 2161

1983)).

Examiner concludes that applicant's response does not meet the criteria as set forth in the MPEP. The rejection under the first paragraph of 35 U.S.C. 112 as failing to meet the written description requirement is maintained.

**Applicant Argues:**

Applicant states in the second paragraph of page 14 Mayer does not teach or suggest validating configuration information to be stored in a database, and then extracting at least a subset of the configuration information from the database based on an extraction parameter identifying one of multiple business sites, and generating a text-based configuration file including the extracted configuration information as does the presently claimed information.

**Examiner Responds:**

Examiner is not persuaded. Mayer discloses in paragraph 36 that once the locations of the configuration files have been defined, the analysis platform 300 can retrieve the configuration files from the relevant network devices as required. Mayer in paragraph 33 discloses that in step 240 of Figure 2, the analysis platform analyzes the network configuration model against the network policy to determine whether the network configuration model violates the network policy (i.e., whether a validation exists). In step 245, the analysis platform determines whether a violation of the network policy has been detected. If so (Yes in step 245), the violation is recorded in step 250 and the process continues to step 255. Otherwise (No in step 245), the process continues to step 255.

Examiner is not persuaded by applicant's arguments because Mayer clearly discloses extracting a subset of the configuration information and validating such configuration information.

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

### ***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Etienne P LeRoux whose telephone number is (571) 272-4022. The examiner can normally be reached Monday through Friday between 8:00 AM and 4:30 PM.

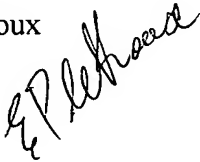
Art Unit: 2161

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Gaffin can be reached on (571) 272-4146. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-2800.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Etienne LeRoux

6/20/2006

A handwritten signature in cursive script, appearing to read 'Etienne LeRoux', written over the printed name and date.